



U.S. Department of Justice

*United States Attorney
Southern District of New York*

*United States Courthouse
300 Quarropas Street
White Plains, New York 10601*

January 5, 2016

BY ECF

The Honorable Cathy Seibel
United States District Judge
Southern District of New York
300 Quarropas Street
White Plains, NY 10601

Re: United States v. Tyrin Gayle, et al., S2 16 Cr. 361 (CS)

Dear Judge Seibel:

The Government writes to respectfully request that the Court extend the applicable period of the Protective Order in the above-referenced case. On July 12, 2016, the Court entered a Protective Order signed by all defendants and their counsel and entered on ECF as docket entry number 30 (the "Protective Order"). Paragraph 14 of the Protective Order limited the duration of its terms for a period of ninety days but permitted the Government to submit an application requesting an extension of that period. On November 4, 2016, the Court granted the Government's request to extend that period for an additional ninety days, *nunc pro tunc* from October 10, 2016. The applicable period is therefore set to expire on or about January 8, 2017. For the reasons below, the Government respectfully requests an additional extension of the Protective Order.

The Government submits that the extension of the Protective Order for an additional ninety-day period is appropriate because the large volume of discovery materials for both the original and the superseding indictment include a substantial amount of personal identifying information and other confidential and sensitive information, including but not limited to Social Security Numbers, dates of birth, home addresses, personal telephone numbers, cellphone subscriber account information, law enforcement records, as well as information identifying informants and witnesses. Additionally, the discovery material contains information pertaining to the Government's related investigation of uncharged individuals, which is still ongoing.

Although the completion of the Government's present investigation or a trial in this case during which witness identities and confidential materials are revealed may obviate the need for these protections, at this stage, the Government respectfully submits that they remain necessary to protect witnesses, confidential information, and the integrity of an ongoing investigation.

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Accordingly, the Government respectfully requests that the Court extend the duration of the Protective Order for a period of ninety days.

Respectfully submitted,

PREET BHARARA
United States Attorney

By: /s/ Maurene Comey
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Assistant United States Attorney
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Cc: All Defense Counsel of Record (by ECF)